

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Sandwich Isles Communications, Inc.) WC Docket No. 09-133
)
Petition for Declaratory Ruling)

ORDER

Adopted: August 5, 2009

Released: August 5, 2009

Revised Comment Date: August 31, 2009

Revised Reply Comment Date: September 10, 2009

By the Acting Chief, Wireline Competition Bureau:

1. On June 26, 2009, Sandwich Isles Communications, Inc. (Sandwich Isles) filed a petition requesting that the Commission issue a declaratory ruling that certain circuit lease expenses incurred by Sandwich Isles are “used and useful” in the provision of interstate service, and also requesting the Commission to direct the National Exchange Carrier Association (NECA) to accept such costs for inclusion in, and settlement from, its traffic sensitive pool.¹ On July 27, 2009, the Wireline Competition Bureau (Bureau) issued a Public Notice seeking comment on the Petition, establishing comment deadlines of August 17, 2009 for initial comments and August 27, 2009 for reply comments.² On August 3, 2009, NECA filed a motion for an extension of time to file comments.³

2. NECA requests a two week extension of time.⁴ NECA cites as a reason to grant this extension request, among other things, its need to review information from third parties in order to “adequately evaluate and respond to Sandwich Isles’ argument.”⁵ Also, NECA argues that a grant of the extension request will not prejudice other interested parties, including Sandwich Isles.⁶

3. We note that it is the policy of the Commission that motions for extension of time shall not be routinely granted.⁷ However, given the information NECA must review, we find that good cause

¹ Sandwich Isles Communications, Inc., Petition for Declaratory Ruling, WC Docket No. 09-133 (filed June 26, 2009) (Petition).

² See *Comments Sought on Petition for Declaratory Ruling of Sandwich Isles Communications, Inc.*, WC Docket No. 09-133, Public Notice, DA 09-1622 (WCB rel. July 27, 2009).

³ See Sandwich Isles Communications, Inc. Petition for Declaratory Ruling, Motion for Extension of Time, WC Docket No. 09-133 (filed Aug. 3, 2009) (NECA Motion for Extension).

⁴ See NECA Motion for Extension at 1.

⁵ See *id.* at 2.

⁶ See *id.*

⁷ See 47 C.F.R. § 1.46.

exists to provide all parties an extension of time from August 17, 2009 to August 31, 2009 for filing comments in this proceeding and an extension of time from August 27, 2009 to September 10, 2009 for filing reply comments in this proceeding. This additional time will facilitate the development of a more complete record in this proceeding.

4. Accordingly, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 155(c), section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, and pursuant to the authority delegated in sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, comments in this proceeding shall be filed on or before August 31, 2009 and reply comments in this proceeding shall be filed on or before September 10, 2009.

5. IT IS FURTHER ORDERED that the Motion for Extension of Time filed by the National Exchange Carrier Association IS GRANTED, as set forth herein.

FEDERAL COMMUNICATIONS COMMISSION

Julie A. Veach
Acting Chief, Wireline Competition Bureau